

5.13-100

Master Plans

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5.13-105	Purpose
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- A. A Master Plan allows phasing the development of a specific property over several years.
- B. The purpose of a Master Plan is to:
 - 1. Facilitate the review of multi-phased developments that are desired to be constructed over a 3 to 7 year period and ensure that individual phases will be coordinated with each other over the duration of the Final Master Plan;
 - 2. Ensure that a full range of public facilities and services are available or will be provided for the proposed phased development and to plan the extension of necessary public infrastructure in a timely and efficient manner;
 - 3. Determine specific land uses, a range of minimum to maximum square footage of non-residential uses and a range of minimum to maximum densities of residential uses, the arrangement of uses, and the location of public facilities and transportation systems;
 - 4. Identify, during the public review process, potential impacts, including, but not limited to noise, shading, glare, utility capacity and traffic and consider alternatives for mitigating these impacts to affected properties and/or public facilities;

5. Provide the property owner an opportunity for the concurrent review of discretionary land use decisions; and
6. Provide the property owner with the assurance needed over the long term to plan for and execute the proposed development.

(6238)

5.13-110	Applicability
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- A.** Approval of a Master Plan is a two-step process that includes a Preliminary Master Plan application and a Final Master Plan application. This process applies when the following criteria are met:

1. The property is under single ownership; or if the property has multiple owners, all owners of record consent in writing to the Master Plan review process; and
2. The property is 5 acres or greater and the applicant desires development to be phased over a period not to exceed 7 years, unless modified as specified in SDC 5.13.135.

EXCEPTION: The Director may allow an exception to the 5-acre minimum, if the applicant requests phasing for more than 3 years.

- B.** A Master Plan may include public, commercial, industrial or residential development, or any combination thereof. (6238)

5.13-115	Preliminary Master Plan—Review
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- A.** The Preliminary Master Plan shall be reviewed under Type 2 procedure.

EXCEPTIONS: The Preliminary Master Plan shall be reviewed under Type 3 procedure if:

1. During the Pre-Application Report process, the Director determines that the proposed development is:
 - a. Complex; and/or
 - b. May have potential impacts on public facilities, including, but not limited to availability and capacity; and/or other properties including, but not limited to noise and traffic; and/or

2. The applicant chooses to submit concurrent Type 3 procedure applications as may be permitted in SDC 5.13-116B.

B. Prior to the submittal of a Preliminary Master Plan application:

1. A Pre Application Report application, as specified in SDC 5.1-120B., is required prior to the formal submittal of the Preliminary Master Plan application.
2. A Pre-Submittal Meeting application, as specified in SDC 5.1-120C., is required prior to the formal submittal of the Preliminary Master Plan application.

(6238)

5.13-116 Preliminary Master Plan—Application Concurrency

- A. If the applicant requires or proposes to change the Metro Plan diagram and/or text, the applicant shall apply for and obtain approval of a Metro Plan diagram and/or text amendment prior to the submittal of the Preliminary Master Plan application. The Metro Plan diagram and/or text amendment may also require amendment of an applicable refinement plan diagram or Plan District Map.
- B. The Preliminary Master Plan may be reviewed concurrently with other Type 3 applications including a Zoning Map amendment, Discretionary Use, Major Variance, or a Willamette Greenway Permit application.
- C. Subdivision and/or Site Plan applications that initiate the various phases of proposed development shall not be submitted concurrently with the Preliminary Master Plan. These applications shall not be submitted until Final Master Plan approval is effective, as specified in SDC 5.13-133. (6238)

5.13-117 Preliminary Master Plan—Neighborhood Meeting
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To provide the opportunity for early citizen involvement in the Master Plan review process, the applicant shall provide notice and invite citizen participation by initiating a Neighborhood Meeting. The meeting shall be scheduled after receipt of staff's response to the Pre-Application Report application required in SDC 5.13-115B.1., and prior to the formal submittal of a Preliminary Master Plan application. The meeting is not intended to produce complete consensus on all applications. It is intended to encourage applicants to be good neighbors. The applicant shall be responsible for scheduling and organizing the meeting, arranging the meeting place, notice and all related costs. City staff will attend the neighborhood meeting in an advisory capacity to answer questions. The notice shall provide a brief description of the proposal and shall be mailed to those property owners and residents within 300 feet of the proposed development. The meeting may be held in any public or private building capable of accommodating the proceeding. The building selected

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should be in the vicinity of the proposed development. The applicant shall submit a summary of the questions raised and responses made at this meeting with the Preliminary Master Plan application as required in Subsection 5.13-120N. (6238)

5.13-120 Preliminary Master Plan—Submittal Requirements

The Preliminary and Final Master Plan applications shall be prepared by a professional design team. The applicant shall select a project coordinator. All related maps, excluding vicinity and detail maps, shall be at the same scale. A Preliminary Master Plan shall contain all of the elements necessary to demonstrate compliance with the applicable provisions of this Code and shall include, but not be limited to:

- A.** General Submittal Requirements. The applicant shall submit a Preliminary Master Plan that includes all applicable elements described below and a narrative generally describing the purpose and operational characteristics of the proposed development. The narrative shall include:
 - 1.** The existing Metro Plan designation and zoning. Where the proposed Master Plan site is within an overlay district, Plan District or Refinement Plan, the applicable additional standards shall also be addressed;
 - 2.** The location and proposed number of residential units and/or square footage of commercial, industrial and/or public uses;
 - 3.** The density or intensity of proposed uses, including applicable Floor Area Ratios (FARs); and
 - 4.** The applicant shall attach:
 - a.** A map depicting existing zoning and land uses within 300 feet of the proposed Master Plan boundary;
 - b.** A Vicinity Map drawn to scale depicting existing bus stops, streets, driveways, pedestrian connections, fire hydrants and other transportation/fire access issues within 300 feet of the proposed Master Plan site; and
 - c.** A legal description of the property within the proposed Master Plan boundary.
- B.** A Site Assessment of the entire proposed Master Plan site that precisely maps and delineates the existing conditions on the site. Proposed modifications to physical features shall be clearly indicated. Information required for adjacent properties may be generalized to show the connections to physical features. A Site Assessment shall contain the following information, as applicable:

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1. A full size map depicting the proposed Master Plan boundary together with existing lot/parcel lines;
 2. The 100-year floodplain and floodway boundaries on the proposed Master Plan site, as specified in the latest adopted FEMA Flood Insurance Rate Maps or FEMA approved Letter of Map Amendment or Letter of Map Revision;
 3. The Time of Travel Zones, as specified in Section 3.3-200 and delineated on the Wellhead Protection Areas Map on file in the Development and Public Works Department;
 4. Physical features including, but not limited to significant clusters of trees and shrubs, wetlands as specified in SDC 4.3-117, rock outcroppings and watercourses shown on the Water Quality Limited Watercourse (WQLW) Map and their riparian areas on file in the Development and Public Works Department. In the latter case, the name, location, dimensions, direction of flow and top of bank shall be depicted. If the proposed Master Plan site is located within 150 feet of the top of bank of any WQLW or within 100 feet of the top of bank of any WQLW direct tributary, a Riparian Area Protection Report is required;
 5. Soil types and water table information as mapped and specified in the Soils Survey of Lane County. A Geotechnical report prepared by a licensed Geotechnical Engineer shall be submitted concurrently if the Soils Survey indicates the proposed Master Plan site has unstable soils and/or a high water table; and
 6. Existing elevations and contours.
- C. A Grading Plan which includes: existing and proposed elevations and where 2 or more feet of fill or grading is anticipated for portions of, or the entire proposed Master Plan site. On hillsides, the plan shall show pad sites and their relationship to the public right-of-way with existing contours at one-foot intervals and percent of slope. In areas where the percent of slope is 10 percent or more, contours may be shown at 5-foot intervals.
- D. A Stormwater Management Plan diagram which includes the stormwater management system for the entire proposed Master Plan site and any impacts on adjacent properties. The plan shall contain the following components:
1. Roof drainage patterns and discharge locations;
 2. Pervious and impervious area drainage patterns;

3. The size and location of stormwater management systems components, including, but not limited to: drain lines, catch basins, dry wells and/or detention ponds; stormwater quality measures; and natural drainageways to be retained and/or modified;
 4. Existing and proposed elevations, site grades and contours; and
 5. A stormwater management system plan with supporting calculations and documentation as specified in SDC 4.3-110 shall be submitted supporting the proposed system. The plan, calculations and documentation shall be consistent with the *Engineering Design Standards and Procedures Manual*.
- E. A Wastewater Management Plan with maps and a narrative depicting the location and size of existing and proposed wastewater facilities with supporting calculations and documentation consistent with the *Engineering Design Standards and Procedures Manual*.
- F. A Utilities Plan with maps and a narrative depicting the location and size of existing and proposed water, electrical, gas and telephone service; and the location of existing and required traffic control devices, fire hydrants, street lights, power poles, transformers, neighborhood mailbox units and similar public facilities.
- G. A conceptual Landscape Plan with maps and a narrative illustrating proposed landscaping for the entire proposed Master Plan site, including, but not limited to: where existing vegetation is proposed for preservation, especially riparian and wetland areas and trees; installation of vegetative buffering; street trees; general landscaping; and a percentage range for the total amount of required open space, broken down by the type of open space, public and private, as applicable. A conceptual Landscape Plan is more appropriate at the Master Plan level. A detailed Landscape Plan will be required during the Site Plan Review application process required to implement the Final Master Plan.
- H. An Architectural Plan with maps, including:
1. Building elevations, overall commercial, industrial or public floor area, the number of dwelling units, building height, number of stories and the building location or building mass of the primary structures (as defined in this Code);
 2. Illustrative examples of applicable SDC design standards and building materials may be considered conceptual. In this case, this requirement, if changed in the future, will not require Final Master Plan modification as specified in SDC 5.13-135; and a
 3. Narrative. A narrative providing sufficient information to describe the proposed Architectural Plan.

- I.** A Parking Plan and Parking Study.
 - 1.** A Parking Plan shall be submitted for all proposed development and shall contain the following information:
 - a.** The location and number of proposed parking spaces;
 - b.** On-site vehicular and pedestrian circulation;
 - c.** Access to streets, alleys and properties to be served, including the location and dimensions of existing and proposed driveways and any existing driveways proposed to be closed;
 - d.** The location of and number proposed bicycle spaces;
 - e.** The amount of gross floor area applicable to the parking requirements for the proposed use; and
 - f.** The location and dimensions of off-street loading areas, if any.
 - 2.** A Parking Study, for other than single-unit detached dwelling developments, with maps and a narrative depicting projected parking impacts, including, but not limited to: projected peak parking demand; an analysis of peak demand compared to, or use of, the proposed on-site and off-site supply; potential impacts to the on-street parking system and adjacent land uses; and proposed mitigation measures, if necessary.
- J.** An On-site Lighting Plan depicting the location and maximum height of all proposed exterior light fixtures, both free standing and attached.
- K.** A Public Right-of-Way/Easement/Public Place Map depicting the reservation, dedication, or use of the proposed Master Plan site for public purposes, including, but not limited to: rights-of-way showing the name and location of all existing and proposed public and private streets within or on the boundary of the proposed Master Plan site, the right-of-way and paving dimensions, and the ownership and maintenance status, if applicable, and the location, width and construction material of all existing and proposed sidewalks; pedestrian access ways and trails; proposed easements; existing easements; parks; open spaces, including plazas; transit facilities; and school sites.
- L.** A Traffic Impact Study, as specified in SDC 4.2-105A.4., the scope of which may be established by the Director. The Traffic Impact Study shall contain maps and a narrative depicting projected transportation impacts, including, but not limited to: the expected number of vehicle trips that may be generated by the proposed development (peak and

daily); an analysis of the impact of vehicle trips on the adjacent street system; and proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system itself or specific programs and strategies to reduce traffic impacts such as encouraging the use of public transit, carpools, vanpools, and other alternatives to single occupant vehicles.

- M.** A Phasing Plan. The Phasing Plan shall illustrate the proposed location of buildings, streets, utilities and landscaping. Phasing shall progress in a sequence that provides street connectivity between the various phases and accommodates other required public improvements such as wastewater facilities, stormwater management, electricity and water. The Phasing Plan shall consist of maps and a narrative with an overall schedule or description of on-/off-site phasing including, but not limited to: the type, location and timing of proposed uses, building locations; proposed public facilities including on-/off-site streets and traffic signals or other traffic control devices and utilities with the designation of construction and maintenance responsibility; estimated start/completion dates with a proposed type of financial guarantee, including, but not limited to a bond, letter of credit, joint deposit or other security in a form acceptable to the City, submitted by the property owner, a future buyer and/or a developer, to ensure planned infrastructure improvements will occur with each phase, if necessary, or when required by the City, affected local agency or the State (the formal submittal of a required guarantee typically occurs during the Final Master Plan review process and/or development implementation); a statement of the applicant's intentions with regard to the future selling or leasing (if known at the time of Preliminary Master Plan submittal) of all or portions of the proposed development (where a residential subdivision is proposed, the statement shall also include the applicant's intentions whether the applicant or others will construct the homes); and the relationship of pedestrian and bicycle connectivity and open space requirements to the proposed phasing.
- N.** Neighborhood Meeting Summary. The applicant shall submit a summary of issues raised at the neighborhood meeting as specified in SDC 5.13-117.
- O.** A copy of all proposed and any existing covenants, conditions, and restrictions that may control development, if applicable.
- P.** Annexation. A general schedule of proposed annexation consistent with the phasing plan, if applicable.
- Q.** The Director may require additional information necessary to evaluate the proposed development, including, but not limited to:

 - 1.** An ESEE analysis, as may be needed to comply with Statewide Planning Goal 5, Natural Resources, for site attributes that may not be on an adopted City inventory;

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2. A wetland delineation approved by the Oregon Department of State Lands shall be submitted concurrently with the Preliminary Master Plan application, where there is a wetland on the proposed Master Plan site; and

3. Historical and/or archaeological studies.

R. Any concurrent land use applications as specified in SDC 5.13-116B. (6238)

5.13-125 Preliminary Master Plan—Criteria

A Preliminary Master Plan shall be approved, or approved with conditions, if the Approval Authority finds that the proposal conforms with all of the applicable approval criteria.

- A. Plan/Zone Consistency. The existing or proposed zoning shall be consistent with the Metro Plan diagram and/or applicable text. In addition, the Preliminary Master Plan shall be in compliance with applicable City Refinement Plan, Conceptual Development Plan or Plan District standards, policies and/or diagram and maps.
- B. Zoning District Standards. The Preliminary Master Plan shall be in compliance with applicable standards of the specific zoning district and/or overlay district.
- C. Transportation System Capacity. With the addition of traffic from the proposed development, there is either sufficient capacity in the City's existing transportation system to accommodate the development proposed in all future phases or there will be adequate capacity by the time each phase of development is completed. Adopted State and/or local mobility standards, as applicable, shall be used to determine transportation system capacity. The Preliminary Master Plan shall also comply with any conditions of approval from a Metro Plan diagram and/or text amendment regarding transportation and all applicable transportation standards specified in SDC Chapter 4.
- D. Parking. Parking areas have been designed to: facilitate traffic safety and avoid congestion; provide bicycle and pedestrian connectivity within the property and to nearby transit stops and public areas. The Preliminary Master Plan shall also comply with all applicable vehicular and bicycle parking standards specified in SDC Chapter 4.
- E. Ingress-egress. Ingress-egress points have been designed to: facilitate traffic safety and avoid congestion; provide bicycle and pedestrian connectivity within the property and to adjacent residential areas, transit stops, neighborhood activity centers, and commercial, industrial and public areas; and minimize driveways on arterial and collector streets as specified in this Code or other applicable City and State regulations. The Preliminary Master Plan shall also comply with all applicable ingress/egress standards specified in SDC Chapter 4.

- F.** Availability of Public Utilities. Existing public utilities, including, but not limited to, water, electricity, wastewater facilities, and stormwater management facilities either have sufficient capacity to support the proposed development in all future phases adequately, or there will be adequate capacity available by the time each phase of development is completed. The Director or appropriate utility provider shall determine capacity issues. The Preliminary Master Plan shall also comply with applicable utility standards specified in SDC Chapters 4 and 5.
- G.** Protection of Physical Features. Physical features, including, but not limited to slopes 15 percent or greater with unstable soil or geologic conditions, areas with susceptibility to flooding, significant clusters of trees and shrubs, watercourses shown on the Water Quality Limited Watercourses (WQLW) Map and their associated riparian areas, wetlands, rock outcroppings and open spaces and areas of historic and/or archaeological significance as may be specified in SDC 3.3-900 or ORS 97.740-760, 358.905-955 and 390.235-240 shall be protected as specified in this Code or in State or Federal law. The Preliminary Master Plan shall also comply with applicable physical feature protection standards specified in SDC Chapter 4.
- H.** Phasing Plan. The Phasing Plan shall: demonstrate that the construction of required public facilities shall occur in a logical sequence, either in conjunction with, or prior to each phase, or that there are appropriate financial guarantees as specified in SDC 5.13-120M. to ensure the phased public facilities construction will occur.
- I.** Adjacent Use Protection. The proposed Preliminary Master Plan contains design, elements including, but not limited to landscaping/screening, parking/traffic management, and multi-modal transportation that limit and/or mitigate identified conflicts between the site and adjacent uses. (6238)

5.13-130 Preliminary Master Plan—Conditions

The Approval Authority may attach conditions as may be reasonably necessary to the Preliminary Master Plan in order to ensure compliance with the approval criteria in SDC 5.13-125, and with all other applicable provisions of this Code. All conditions shall be satisfied prior to Final Master Plan approval. Certain conditions may require an adequate financial guarantee in a form acceptable to the City to ensure compliance. (6238)

5.13-131 Final Master Plan—Review

- A.** A Final Master Plan application shall be reviewed under Type 1 procedure. However, if the Preliminary Master Plan approval was reviewed under Type 3 procedure, the Director may require the Final Master Plan to be reviewed under Type II procedure.

- B.** A Pre-Submittal Meeting application, as specified in SDC 5.1-120C., is required prior to the formal submittal of the Final Master Plan application. (6238)

5.13-132 Final Master Plan—Submittal Requirements

- A.** Within one year of Preliminary Master Plan Approval, the applicant shall submit the Final Master Plan. The Final Master Plan shall illustrate the location of proposed buildings, streets, utilities, parking and landscape areas. The Final Master Plan shall incorporate all Approval Authority conditions of approval. The Final Master Plan application shall include:

- 1.** A narrative that lists the conditions of approval, explains how each condition is met and references the applicable Preliminary Master Plan maps and diagrams or plan sheets that required revision as a condition of approval;
- 2.** The specific maps, diagrams, plan sheets or other documents referenced above that have been revised and/or demonstrate conformance with the Preliminary Master Plan approval; and
- 3.** Any other information that may be required by the Director.

EXCEPTION: The applicant may request an extension of the Final Master Plan submittal for up to one additional year. The applicant shall submit the request for the extension in writing to the Director no later than 30 days prior to the expiration of the Preliminary Master Plan effective date as specified in SDC 5.13-133C. The applicant shall explain why the request is necessary and demonstrate how the Final Master Plan application will be submitted within the requested extension time line. The Director may grant or amend the extension request upon determining that the applicant is making progress on the Final Master Plan application.

- B.** A Pre-Submittal Meeting application, as specified in SDC 5.1-120C., is required prior to the formal submittal of the Final Master Plan application. (6238)

5.13-133 Final Master Plan—Criteria, Recordation and Effective Date

- A.** Criteria. The Approval Authority shall grant Final Master Plan approval upon finding that:
- 1.** The Final Master Plan substantially conforms to the provisions of the Preliminary Master Plan approval; and
 - 2.** All approval conditions have been met or can be guaranteed to be met.

- B.** Recordation. The applicant shall record a Memorandum of Final Master Plan approval in a format approved by the City Attorney, any other required documents at Lane County Deeds and Records and return a recorded copy of the Memorandum of Final Master Plan approval and all other applicable documents to the Development Services Department.
- C.** Effective Date.
 - 1.** Final Master Plan approval is effective on the date of recordation of the Memorandum of Final Master Plan Approval, the effective date, for not more than 7 years, unless modified as specified in SDC 5.13-135.
 - 2.** The Final Master Plan remains in effect until the permitted development has been constructed or it is modified, superseded or expires.
- D.** Once the Final Master Plan effective date is established, all persons and parties, and their successors, heirs or assigns, who have or will have any interest in the real property within the Final Master Plan boundary, shall be bound by the terms and conditions of approval of the Final Master Plan and the provisions of this Section. Notice of the Final Master Plan effective date will be mailed to the applicant. (6238)

5.13-134	Final Master Plan—Phasing Implementation
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- A.** No Subdivision and/or Site Plan Review applications (phasing implementation) shall be submitted until the Memorandum of Final Master Plan has been recorded, delineating the effective date, and returned to the City.
- B.** The approved Final Master Plan shall be the basis for the evaluation of all phases of proposed development, including Subdivision and/or Site Plan Review applications.
- C.** The approved Final Master Plan and all applicable conditions of approval shall be addressed for each Subdivision and/or Site Plan Review application (phasing implementation) as part of application completeness during the Pre-Submittal Meeting application process, specified in SDC 5.1-120C. (6238)

5.13-135	Final Master Plan—Modifications
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A proposed Final Master Plan modification, or a proposed modification to a Master Plan approved prior to the effective date of this regulation, shall be processed under the applicable procedures described below:

- A.** The following modifications to a Final Master Plan shall be processed under Type 1 procedure. These modifications include a request:

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1. By the applicant to modify the Master Plan phasing schedule for a specific phase of development when the proposed change does not affect the construction of scheduled public improvements;
 2. By the City based on the requirement to implement newly adopted State or Federal regulations; or
 3. By the applicant for a one time extension of the approved time limit for up to 3 years. An extension request shall be filed in writing with the Director at least 60 days prior to the expiration of the initial 7-year period. If the applicant has made reasonable progress, as determined by the Director, in the implementation of the Final Master Plan and public services and public facilities will be available to serve the site, the time line extension will be granted.
 4. By the applicant for modifications that are less than the 10 percent thresholds specified in those specific instances specified in Subsection B., below.
- B.** The following modifications to the Final Master Plan shall be processed under Type 2 procedure, unless the Director determines that the proposed modification should be reviewed as a Type 3 procedure, based on the proposed size of the Master Plan site; and/or the availability/capacity of public facilities; and/or impacts to adjacent properties including, but not limited to noise and traffic. These modifications include a request:
1. By the applicant if a proposed permitted non-residential use, for example, a Place of Worship or a school, affects the approved Final Master Plan residential density;
 2. By the applicant for 10 percent or greater increases or decreases in the overall gross floor area of commercial, industrial or public buildings; the number of dwelling units; building height; and the location or building mass of the primary structure (as defined in this Code);
 3. By the applicant for increases or decreases in the amount of approved or required parking by a factor of 10 percent or greater. The applicant shall provide a new parking analysis related to the proposal;
 4. By the applicant for a Zoning Map amendment or Discretionary Use application;
 5. By the applicant for proposals that would increase the number of PM peak-hour vehicular trips by 10 percent or greater, except in cases where a trip cap has been imposed on development of the property. Where such a trip cap is in effect, a modification of the land use decision that imposed the trip cap shall be

required. In all cases, the applicant shall provide a Traffic Impact Analysis supporting the proposal;

6. By the applicant to alter the placement of interior streets by 10 percent or greater from their approved location, as long as the modification maintains the connectivity established by the approved Final Master Plan.
 7. By the City or the applicant when essential public infrastructure cannot be provided;
 8. By the applicant to modify the Master Plan phasing schedule for a specific phase of development when the proposed change affects the construction of scheduled public improvements;
 9. By the applicant for extension of the Final Master Plan time limit beyond the maximum approved time limit of 7 years or the extension permitted in Subsection B.3., above. In no case shall the extension exceed 15 years from the date of Final Master Plan approval as specified in SDC 5.13-133C. An extension request shall be filed in writing with the Director at least 60 days prior to the expiration of the initial 7 year period or any subsequently approved extensions. The time line extension will be granted provided the applicant has made reasonable progress in the implementation of the Final Master Plan and public services and facilities remain available;
 10. By the applicant for a change to the approved Final Master Plan boundary.
- C. Proposed Final Master Plan modifications other than those described in Subsections A. and B., above, shall require the submittal of a new Preliminary Master Plan application.
- D. The following modifications to the Final Master Plan do not require subsequent land use review and are allowed upon issuance of a building permit, if required:
1. Building interior improvements;
 2. Exterior improvements associated with existing buildings that do not involve a change in floor area, subject to all applicable base zone development and design standards and relevant conditions of approval as approved in the Final Master Plan;
 3. Installation of new mechanical or electrical equipment, or modification of existing equipment, subject to all applicable base zone development and design standards and relevant conditions of approval as approved in the Final Master Plan; and/or

4. Routine maintenance of existing buildings, facilities and landscaping.
- E. A Pre-Submittal Meeting application, as specified in SDC 5.1-120C., is required prior to the formal submittal of the Final Master Plan modification application.
- F. For all Final Master Plan modification applications described in Subsections A and B, above, the applicant shall demonstrate compliance with the following:
 1. Any applicable Preliminary Master Plan criteria of approval specified in SDC 5.13-125; and
 2. Any other applicable standard of this Code that may be required to justify the proposed modification.
- G. The Master Plan procedures in Appendix 3 of this Code regarding Master Plan Modifications and/or new Master Plans shall apply to properties within the Glenwood Riverfront Plan District, SDC 3.4-200, until these regulations are updated. (6238)

5.13-140	Final Master Plan—Assurance to the Applicant and City Disclaimers
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- A. Assurances to the Applicant.
 1. The applicant is entitled to rely on standards and criteria in effect on the date the Preliminary Master Plan application was submitted, in accordance with ORS 227.178(3)(a) for the 7-year approval time limit, with a single 3-year extension, or as otherwise previously approved.

EXCEPTION: Any time line extension proposed for more than a combined total of 10 years shall comply with on standards and criteria in effect at the time of the time line extension application submittal as specified in SDC 5.13-135B.9.
 2. The applicant shall have the right to proceed with development as long as it is in substantial compliance with the Final Master Plan and other required approvals and permits, subject to any modifications as may be approved as specified in SDC 5.13-135.
- B. City Disclaimers.
 1. The City will not be required to approve development of any phase described in the Final Master Plan if the approval violates applicable Federal or State statutes or administrative rules.

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2. The City will not be obligated to provide public improvements affecting implementation of the Final Master Plan if public funds are not available.
- (6238)